

## UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

\_\_\_\_ Division



Case No. \_\_\_\_\_

(to be filled in by the Clerk's Office)

ZANNIE JAY LOTHARP

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jury Trial: (check one) ☐ Yes ☒ NoBILL IN EQUITYOFFICE OF THE U.S. ATTORNEY

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

## COMPLAINT FOR A CIVIL CASE

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>ZANNIE JAY LOTHARP</u>
Street Address	<u>201 NORTH CHURCH STREET</u>
City and County	<u>WINSTON-SALEM, FORSYTH COUNTY</u>
State and Zip Code	<u>NORTH CAROLINA 27101</u>
Telephone Number	<u>N/A</u>
E-mail Address	<u>N/A</u>

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

## Defendant No. 1

Name OFFICE OF THE U.S. ATTORNEY  
Job or Title (if known)  
Street Address 101 S. Edgeworth St., 4<sup>th</sup> floor  
City and County GREENSBORO, GUILFORD COUNTY  
State and Zip Code NORTH CAROLINA 27401  
Telephone Number 336-332-5381  
E-mail Address (if known) Nicole.Dupre@usdoj.gov

## Defendant No. 2

Name  
Job or Title (if known)  
Street Address  
City and County  
State and Zip Code  
Telephone Number  
E-mail Address (if known)

## Defendant No. 3

Name  
Job or Title (if known)  
Street Address  
City and County  
State and Zip Code  
Telephone Number  
E-mail Address (if known)

## Defendant No. 4

Name  
Job or Title (if known)  
Street Address  
City and County  
State and Zip Code  
Telephone Number  
E-mail Address (if known)

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐ Federal question

☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

**B. If the Basis for Jurisdiction Is Diversity of Citizenship****1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* ZANNIE JAY LOTHARP, is a citizen of the State of *(name)* NORTH CAROLINA.

**b. If the plaintiff is a corporation**

The plaintiff, *(name)* \_\_\_\_\_, is incorporated under the laws of the State of *(name)* \_\_\_\_\_, and has its principal place of business in the State of *(name)* \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**2. The Defendant(s)****a. If the defendant is an individual**

The defendant, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_. Or is a citizen of *(foreign nation)* \_\_\_\_\_.

## b. If the defendant is a corporation

The defendant, (name) \_\_\_\_\_, is incorporated under the laws of the State of (name) \_\_\_\_\_, and has its principal place of business in the State of (name) \_\_\_\_\_.

Or is incorporated under the laws of (foreign nation) UNITED STATES, and has its principal place of business in (name) Washington, D.C.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

## 3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

STIPULATION (AGREEMENT) OF THE PARTIES.

## III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

SEE ATTACHED PAGES 6, 7, AND 8.

## IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

SEE ATTACHED PAGE 9.

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 11 / 18 / 2020

Signature of Plaintiff ZANNIE JAY LOTHARP  
Printed Name of Plaintiff ZANNIE JAY LOTHARP

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney \_\_\_\_\_  
Printed Name of Attorney \_\_\_\_\_  
Bar Number \_\_\_\_\_  
Name of Law Firm \_\_\_\_\_  
Street Address \_\_\_\_\_  
State and Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-mail Address \_\_\_\_\_



### III. STATEMENT OF CLAIM

- 1) Plaintiff has exhausted Administrative Remedy and comes to this Court of Equity with clean hands and in good faith (see exhibits 1-34. Exhibits 2-9, 11, and 29 were attached to previous complaint (1:20cv900) and is incorporated into this complaint).
- 2) Plaintiff has established judgement in estoppel on the law against Defendant as evidenced by the attached Protest / Certificate of Dishonor, certified by Kristy Nhia Vue Lee-Thao, a notary public for Stanly County, North Carolina.
- 3) Plaintiff has established a second judgement in estoppel on the facts / money against Defendant as evidenced by the attached 2<sup>nd</sup> Protest / Certificate of Dishonor, certified by Kristy Nhia Vue Lee-Thao, a notary public for Stanly County, North Carolina.

Pg. 6  
STATEMENT OF CLAIM

- 4) Plaintiff has "accord and satisfaction" as evidenced by the attached Accepted for Value and Return for Value Commercial Instrument(s), in real, sovereign capacity, as creditor (see exhibits 6-9. These exhibits were attached to previous complaint (1:20-cv-900) and is incorporated here).
- 5) Plaintiff's Administrative Remedy is res judicata.
- 6) Defendant lacked consideration, being that there is no security (promise or pledge) nor bona fide assessment in fact attached to the demand instrument(s), to support the contractual basis upon which the alleged obligation is based.
- 7) Failure of Defendant to respond in this matter is stare decisis.
- 8) Plaintiff's Administrative Remedy is ripe for judicial review, and there are no

Pg. 7  
STATEMENT OF CLAIM



facts in controversy.

- 9) Plaintiff is entitled to relief in this equitable claim.
- 10) Defendant is estopped for failure to respond to original Administrative process.
- 11) Plaintiff has placed the facts and the law before this honorable court.

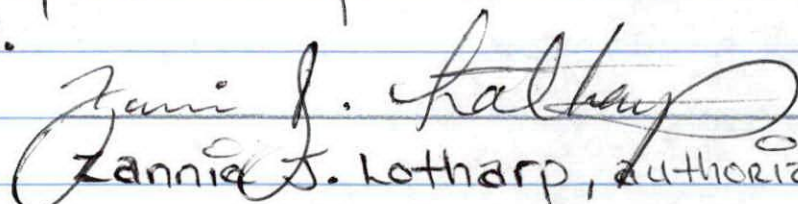
pg. 8  
STATEMENT OF CLAIM



#### IV. RELIEF

- 1) PLAINTIFF REQUEST JUDICIAL REVIEW OF HIS ADMINISTRATIVE PROCESS AND REMEDY.
- 2) PLAINTIFF REQUEST THIS COURT TO FIND THE FACTS AND EXECUTE ON THE LAW OF THE CONTRACT BEFORE THIS COURT.
- 3) PLAINTIFF REQUEST SUMMARY JUDGEMENT ON HIS ADMINISTRATIVE REMEDY.
- 4) PLAINTIFF REQUEST THIS COURT TO RELEASE THE ORDER OF THE COURT TO ZANNIE JAY LOTHARP.
- 5) PLAINTIFF REQUEST THE COURT TO ORDER DEFENDANT TO PAY THE SUM CERTAIN \$4,000,000.00 OVER TO PLAINTIFF.

Respectfully submitted by order of ZANNIE JAY LOTHARP.

  
Zannie J. Lotharp, authorized  
REPRESENTATIVE FOR ZANNIE JAY LOTHARP.

Pg. 9  
RELIEF

Principal

Signature: Zannie J. Lotharp

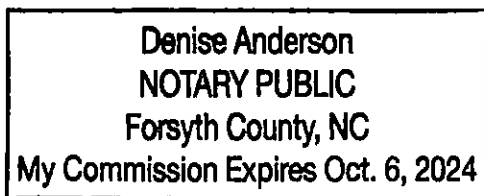
Date: 11-18-2020

State of North Carolina

County of Forsyth

I, Denise Anderson Notary Public, do hereby certify that Zannie J. Lotharp personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal this 18TH day of November, 20 20.



(Official Seal)

Denise Anderson

Official Signature of Notary

My commission expires: Oct 6, 2024

complaint for a CIVIL CASE